

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

-against-

RICHARD XIA, a/k/a YI XIA; and  
FLEET NEW YORK METROPOLITAN REGIONAL  
CENTER, LLC, f/k/a FEDERAL NEW YORK  
METROPOLITAN REGIONAL CENTER, LLC;

Defendants,

-and-

JULIA YUE, a/k/a JIQING YUE, XI VERFENSTEIN,  
and XINMING YU,

Relief Defendants.

21-CV-5350 (PKC)

**ORDER APPROVING THE MONITOR'S  
MOTION AUTHORIZING THE RELEASE OF FUNDS FOR  
PAYMENT OF EB-5 INTEGRITY FUND FEE**

**WHEREAS**, on January 17, 2024, the Court granted the Motion for Approval of Release of Funds for Payment of EB-5 Integrity Fund fee (the “Motion”) of Court-appointed monitor M. Scott Peeler for entry of an order directing Defendant Richard Xia to have Defendant Fleet New York Metropolitan Regional Center, LLC, (“Fleet”) or other Xia Entity pay \$20,000 to U.S. Citizenship and Immigration Services (“USCIS”) for the annual EB-5 Integrity Fund fee (the “Integrity Fee”) with funds from the CTBC account ending in 9799 or other Xia Entity account(s) if additional funds are needed;

**WHEREAS**, Defendants were unable to make the payment at that time due to the USCIS portal being closed and thereafter did not make the required Integrity Fee payment;

**WHEREAS**, Defendants were notified by USCIS on or about June 28, 2024 that Fleet will be terminated as a regional center for purposes of the EB-5 Program for failure to pay the Integrity Fee and that Fleet has until July 31, 2024 to “offer evidence in opposition to the ground or grounds alleged” for termination;

**WHEREAS**, on July 8, 2024, Defendants requested that the Court again issue an order directing Defendant Xia to have Fleet or another Xia Entity pay the Integrity Fee to USCIS, and to release funds from the CTBC account ending in 9799 or other Xia Entity account(s), if additional funds are needed, for that purpose (“Second Motion”);

**WHEREAS**, termination of Fleet as a regional center could impair the interests of Fleet’s current EB-5 investors and, in turn, impair the settlement reached by the parties in this case; and

**WHEREAS**, the Court finds safeguarding the interests of Fleet’s EB-5 investors and the preservation of the settlement achieved in this case to be of paramount importance;

**NOW, THEREFORE**, based upon the Second Motion and all of the proceedings before this Court, and after due deliberation and sufficient cause appearing therefor, and no objection to the Second Motion having been raised, it is hereby:

**ORDERED** that Defendants’ Second Motion is granted and that Defendant Xia is directed to have Fleet or other Xia Entity pay the Integrity Fee of \$20,000 to USCIS with funds from the CTBC account ending in 9799 or other Xia Entity account(s), if additional funds are needed, by July 24, 2024; and it is further

**ORDERED** that CTBC shall release, solely for the purpose of paying the Integrity Fee to USCIS, funds from Defendant's account ending in 9799 or other Xia Entity account(s), if additional funds are needed, for \$20,000; and it is further

**ORDERED** that Defendants shall file a status report on the Integrity Fee payment by September 30, 2024, along with documentary proof of any payment.

**ORDERED** that the Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

**SO ORDERED**, this 9th day of July, 2024.

*/s/ Pamela K. Chen*

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Pamela K. Chen  
United States District Court Judge